



STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

MEMORANDUM

DATE: August 18, 2006
TO: County Clerks
FROM: Michigan Department of State, Bureau of Elections
SUBJECT: Administration of the Campaign Finance Act

A review of the duties all county clerks must perform under Section 16 of Michigan's Campaign Finance Act is provided below. A listing of the resources provided through the Michigan Department of State's Bureau of Elections to assist county clerks with the performance of the duties is also provided. Please do not hesitate to contact the Bureau if you have any questions.

Notice of Failure to File: The county clerk is responsible for determining whether a statement or report that is required to be filed under the Michigan Campaign Finance Act is, in fact, filed. All county clerks are required to review their records and determine if any candidate or committee that was required to file a report failed to do so. A candidate or committee that fails to file a required report must be sent a "Notice of Failure to File" within four (4) business days after the elapse of the report due date.

Notice of Error or Omission: The county clerk is responsible for determining whether a statement or report filed under the Michigan Campaign Finance Act complies, on its face, with the requirements of the Act. In order to make this determination, a review must be performed for errors or omissions. If it is determined that the report contains errors or omissions, a "Notice of Error or Omission" must be forwarded to the filer. The submission of a response to the Notice of Error or Omission is required no later than the ninth (9th) business day after the date of the Notice.

Late Filing Fee Notice: If a Statement of Organization, Campaign Statement, or Late Contribution Report is filed late, the committee is subject to late filing fees. The county clerk is required to compute the number of days the report was filed after the filing deadline, indicate the late filing fee assessment on the "Late Filing Fee Notice," and notify the committee of the the late filing fee assessment.

Available Resources

Sample Forms: Samples of the Notice of Failure to File, Notice of Error or Omission and Notice of Late Filing Fee forms are available on the Michigan Department of State's website <www.michigan.gov/sos>. They may be copied and filled out as appropriate or you may use the wording from the Notices to produce your own versions.

Training: A "slide show" presentation has been placed on our website to further assist you with your responsibilities under the Campaign Finance Act. The presentation can also be forwarded to you via email or by first class mail. If you prefer, we are also prepared to provide more traditional classroom training (based on the slide show) for you and your staff. For further information concerning the presentation and training, please contact Evelyn Quiroga at (517) 335-2790 or <QuirogaE1@michigan.gov>.

Copies of Campaign Statements Available on the Internet: Section 36 of the Act directs the Secretary of State to reproduce certain Campaign Statements and transmit the reproduction to the county clerk. In compliance with the requirement, all of the Campaign Statements filed with the Bureau of Elections are posted on the Internet; paper copies will no longer be forwarded. Please feel free to keep or destroy copies of previous reports filed with the Bureau of Elections that have been sent to you by the Bureau.

You may access the reports at www.michigan.gov/sos. Evelyn Quiroga is available to answer any questions you have concerning accessing the filings via the Internet. (Contact information provided above.)

Questions?

If you have any questions, please phone us at 1-800-292-5973 or write us at our mailing address below. This post office box address should be used to send first class, registered or certified mail.

Michigan Department of State
Bureau of Elections
Post Office Box 20126
Lansing, Michigan 48901-0726

If you would like to visit our office or use an overnight delivery service, we are located at the following street address:

Michigan Department of State
Bureau of Elections
Richard H. Austin Bldg. First (1st) Floor
430 West Allegan Avenue
Lansing, MI 48918